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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/814,043	03/20/2001	John T. McDonald	END920000076US1(13997)	3529

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08/05/2003

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EXAMINER

INGBERG, TODD D

ART UNIT

PAPER NUMBER

2124

DATE MAILED: 08/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/814,043

Applicant(s)

MCDONALD ET AL.

Examiner

Todd Ingberg

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 July 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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DETAILED ACTION

Claims 1 - 15 have been examined.

Claims 1, 6, 11, have been amended.

Drawings

1. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

Specification

2. The new abstract has been entered.

3. The new title has been entered but the new title of the invention is not descriptive. This issue will be revisited at time of allowance.

Claim Rejections - 35 U.S.C. § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1 - 15 are rejected under 35 U.S.C. 102(b) based upon a public use or sale of the invention. Template Software Inc. product **WorkFlow** as documented by the documentation set listed below:

The **Template** product line contains:

The SNAP programming language (Not used in this Office Action)

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The Workflow Template (Two manuals used)

The Web Component (Not used in this Office Action)

These three layered products work together.

The documentation sets for the products contains the following manuals.

SNAP released June 1997

SNAP Language Reference (Not used in this Office Action)

Using the SNAP Language (Not used in this Office Action)

Using the SNAP Communication Component (Not used in this Office Action)

Using the SNAP Graphic User Interface Component (Not used in this Office Action)

Getting Started with SNAP (Not used in this Office Action)

Using the SNAP Display Editors (Not used in this Office Action)

SNAP Class Library Reference (Not used in this Office Action)

Using the SNAP External Application Software Component (Not used in this Office Action)

Using the SNAP Development Environment (Not used in this Office Action)

SNAP Module Library Reference (Not used in this Office Action)

Using the SNAP Permanent Storage Component (Not used in this Office Action)

Workflow released September 1997

Developing a WFT Workflow System (Referred to as **System**)

Using the WFT Development Environment (Referred to as **Environ**)

WFT Library Reference (Not used in this Office Action)

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Web Component

Using the Web Component (Not used in this Office Action)

Since, these products work together they constitute a single reference and can be used as the basis for a rejection based on anticipated by a product offering.

Claim 1

Template Software's commercial product Workflow version 8.0 released in 1997 (**Environ**) anticipates a method of providing a flexible infrastructure for managing a process (**Environ**, Chapter 3 must be taken as a whole - WDE page 3-2), comprising: defining a Workflow type (**Environ**, workitems are the electronic forms, routing is the flow a form can follow, as illustrated page 3-5, figure 3-1) ; building a workflow pointer that defines the location of a database within a network (**Environ**, Schema, page 3-3 and Chapter 8, deployment the ability to transfer objects and persistent storage): coding subforms for the defined workflow type (**Environ**, pages 3-31 to 3-34 roles and the ability to customize routing rules page 3-3, custom, junction, ambiguous etc from table 3-1); displaying the subforms to application users (**Environ**, Chapter 4, Using the Graphic User Interface Editor, page 4-5, Table 4-2, Custom graphic objects and subwindows (CANVAS) the display is through displays generated by the GUI editor, defining and customizing role documents (**Environ**, Chapter 7, Application editor ability to assign tasks to specific roles); building process flow documents for the defined workflow type (**Environ**, routing and flows as per chapter 3 above); and building action control documents for determining what happens to the defined workflow type (**Environ**, the combination of the above

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features working together as depicted in Figure 3-1, page 3-5), and running a set of agents to generate files that map application defined workflows in pages and actions that can be called and executed (Template is a distributed workflow system as evident by the **System**, Chapter 6, Implementing Applications, the Application editor which allows the distribution of the different applications - each running a type of Application as shown on page 6-4, also in page 6-5 the directory structure and files are decribed).

Claim 2

A method according to Claim 1, wherein the step of defining the workflow type includes the step of building a set of keyword documents (Workflow items as per claim 1) into the database that uniquely identify the workflow type (as illustrated in Figure 3-1).

Claim 3

A method according to Claim 1, wherein the step of defining and customizing role documents includes the step of building a set of role definition keywords (**Environ**, the tasks as seen in Figure 3-1, Order, Refuse etc) and role documents that control the workflow type (**Environ**, creating roles, pages 3-22 - 3-24, defining, work items as seen in Figure 3-1, page 3-5 and the interaction with the roles and the tasks the different roles can perform).

Claim 4

A method according to Claim 1, wherein the defined workflow type uses the process flow documents to determine what action a given user may perform within a given workflow

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document (**Environ**, creating roles, pages 3-22 - 3-24, defining, work items as seen in Figure 3-1, page 3-5 and the interaction with the roles and the tasks the different roles can perform).

Claim 5

A method according to Claim 1, wherein the action control document run is defined by the process flow documents (**Environ**, page 3-5, Figure 3-1, the flows a work item can take as shown in the figure).

Claim 6

A system for providing a flexible infrastructure for managing a process, comprising: means for defining a workflow type; means for building a workflow pointer that defines the location of a database within a network; means for coding subforms for the defined workflow type,-means for defining and customizing role documents; displaying the subforms to application users means for building process flow documents for the defined workflow type; and means for building action control documents for determining what happens to the defined workflow type; and running a set of agents to generate files that map application defined workflows in pages and actions that can be called and executed.As per claim 1.

Claim 7

A system according to Claim 6, wherein the means for defining the workflow type includes means for building a set of keyword documents into the database that uniquely identify the workflow type. As per claim 2.

Claim 8

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A system according to Claim 6, wherein the means for defining and customizing role documents includes means for building a set of role definition keywords and role documents that control the workflow type. As per claim 3.

Claim 9

A system according to Claim 6, wherein the defined workflow type uses the process flow documents to determine what action a given user may perform within a given workflow document. As per claim 4.

Claim 10

A system according to Claim 6, wherein the action control document run is defined by the process flow documents. As per claim 5.

Claim 11

A program storage device readable by machine and tangibly embodying a set of instructions for the machine to perform method steps for providing a flexible infrastructure for managing a process, said method steps comprising: defining a workflow type; building a workflow pointer that defines the location of a database within a network; coding subforms for the defined workflow type; displaying the subforms to application users; defining and customizing role documents; building process flow documents for the defined workflow type; and building action control documents for determining what happens to the defined workflow type; and running a set of agents to generate files that map application defined workflows in pages and actions that can be called and executed. As per claim 1.

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Claim 12

A program storage device according to Claim 11, wherein the step of defining the workflow type includes the step of building a set of keyword documents into the database that uniquely identify the workflow type. As per claim 2.

Claim 13

A program storage device according to Claim 11, wherein the step of defining and customizing role documents includes the step of building a set of role definition keywords and role documents that control the workflow type. As per claim 3.

Claim 14

A program storage device according to Claim 11, wherein the defined workflow type uses the process flow documents to determine what action a given user may perform within a given workflow document. As per claim 4.

Claim 15

A program storage device according to Claim 11, wherein the action control document run is defined by the process flow documents. As per claim 5.

Response to Arguments

6. Applicant's arguments filed July 14, 2003 have been fully considered but they are not persuasive.

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Applicant's argument that the reference "Using the WFT Development Environment (Referred to as **Environ**)" by Template Software's product Workflow version 8.0 is not shown to have been on sale for more than one year. The Examiner included press releases from 1997 on Template Software's version 8.0 product line releases. Under *Epstein* 31 USPQ2d 1817 (decided August 17, 1994) the documentation set of Template 8.0 qualifies as 35 USC § 102 prior art of record.

Examiner interpreted the word cope to be scope on page 9 of the response. Examiner appreciates the statements on the record. The additional grounds of rejection are intended to show the added limitation. In addition to containers the Template system also supports the ability to write to files, databases and the functionality is stored in .CD files. Much of the arguments are not clearly seen in the claim language. Including limitations of being web based.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR

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1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Correspondence Information

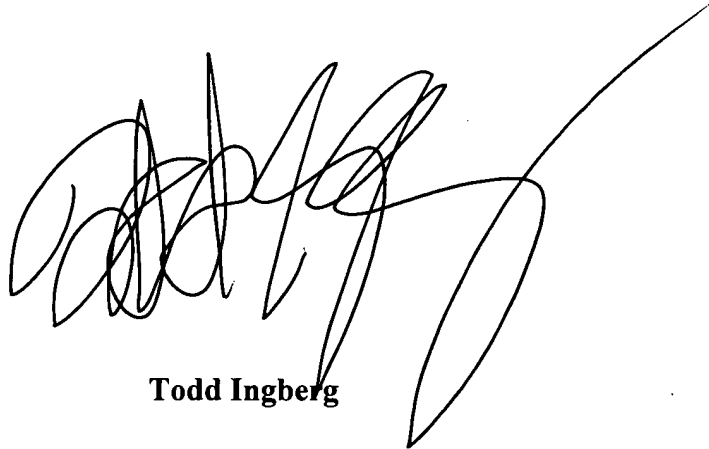
8. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to **Todd Ingberg** whose telephone number is **(703) 305-9775**. The Examiner is working a Maxi-Flex schedule and can be reached Monday through Friday. If attempts to reach the examiner by telephone are unsuccessful, the **Examiner's Supervisor, Kakali Chaki** be reached at **(703)305-9662**. Any response to this office action should be mailed to: **Director of Patents and Trademarks Washington, D.C. 20231**, or **Hand-delivered** responses should be brought to **Crystal Park II, 2121 Crystal Drive Arlington, Virginia, (Receptionist located on the fourth floor)**, or **faxed**. The following **fax numbers** apply:

Official (703) 746 - 7239

Non Official/ Draft (703) 746 -7240

After Final (703) 746 - 7238

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A handwritten signature in black ink, appearing to read 'Todd Ingberg', with a long, sweeping horizontal stroke extending to the right.

Todd Ingberg

Patent Examiner

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August 2, 2003